

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-6 are pending in this application. By way of this reply, claims 1-6 have been amended to clarify the claim language, and claim 7 has been added to identify what is intended to be the claimed invention. Support for these amendments can be found, for example, original claim 4, Figures 6-8, and the accompanying text, as originally filed. Claims 1 and 4 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 4.

Rejections under 35 U.S.C. § 102

Claims 1 and 4 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0135608 ("Hamada"). By this reply, claims 1 and 4 have been amended. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

Embodiments disclosed in this application are directed to a disk reproduction apparatus and method. In accordance with one or more embodiments shown in Figures 1, 2, and 4, by operating *the marker key 12A during reproduction of a disk*, marker numbers and the corresponding disk position information (*e.g.*, thumbnail images) are displayed as shown in Figure 4. By selecting a desired marker number among ten keys 12C, the address on the disk currently being played is registered as a book mark associated with the selected marker number.

Further, in accordance with embodiments shown in Figure 1, 6, 7, and 8, by operating *the same marker key 12A when the disk is not being played*, the disk position

information (e.g., thumbnail images) corresponding to the registered addresses is displayed in the display region as shown in Figure 8. When the user selects the maker number of a disk position to watch, the player starts playing from the disk position the user selected.

Advantageously, users can register and reproduce preferred parts of a disk simply by pressing *the same marker key* either when the disk is being played (for registering) or when the disk is not being played (for watching). As such, embodiments disclosed in this application can bring convenience to users and simplicity in key panel design. In other words, because the disclosed embodiments employ keys that can operate differently (and exclusively) depending upon the state of reproduction, the key panel can be simplified, thereby preventing users' confusion.

Accordingly, amended independent claim 1 requires, in part, (i) that in the case where *the marker input unit* accepts the marker input while the data recorded on the disk is being reproduced by the data reproduction unit, the information storage unit stores, in association with the selected marker number, information of the position of reproduction on the disk being reproduced at the time point of the marker input, and (ii) that in the case where *the marker input unit* accepts the marker input while the data recorded on the disk is *not* being reproduced, the display device displays the plurality of marker numbers and disk position information associated with the plurality of marker numbers.

In addition, amended independent claim 4 requires, in part, "in the case where *the marker input unit* accepts the marker input while data recorded on a disk is being reproduced...a storing step of storing, in association with the selected marker number, information of the position of reproduction on said disk at the time point of the marker input;" and "in the case where *the marker input unit* accepts the marker input while the data recorded on the disk is not

being reproduced...a display step of causing said display device to display the plurality of marker numbers and disk position information associated with the plurality of marker numbers."

As noted above, the same marker input can trigger either storing disk position information or retrieving stored position information, exclusively, depending upon the state of reproduction.

Hamada relates to a recording method and apparatus in which thumbnail images are appended to data. Hamada is silent as to storing disk position information and retrieving stored information by using an identical input unit or identical input information. Referring to paragraph [0142], Hamada describes that users operate the mark button of a remote controller in order to create a thumbnail picture. However, Hamada never suggests that thumbnail images can be generated and displayed by operating the identical mark button. Rather, it is clear to those skilled in the art that thumbnail images are generated and displayed in a different way. That is, referring to Figure 20 and paragraphs [0129], [0130] of Hamada, it is described that mark thumbnails are used in a submenu and need not be read out shortly. Therefore, it is more reasonable to conclude that thumbnails can be generated first by selecting a play list menu and reading out its submenu, not by pressing the same mark button that is used for creating thumbnail pictures.

In addition, referring to paragraphs [0142], [0143] of Hamada, it is noted that regardless of whether the disk is played or paused, the same registration procedure is conducted. That is, Hamada is completely silent with respect to conducting either storing or retrieving, exclusively depending upon the state of reproduction.

Further, paragraph [0130] describes that there is no problem even if when a thumbnail is needed, opening a file is somewhat time-consuming. This is contrary to the

claimed invention because the claimed apparatus and method can promptly retrieve disk position information simply by using an identical input unit or information that is also used for storing information.

As such, Hamada does not disclose at least (i) that in the case where *the marker input unit* accepts the marker input while the data recorded on the disk is being reproduced by the data reproduction unit, the information storage unit stores, in association with the selected marker number, information of the position of reproduction on the disk being reproduced at the time point of the marker input, and (ii) that in the case where *the marker input unit* accepts the marker input while the data recorded on the disk is *not* being reproduced, the display device displays the plurality of marker numbers and disk position information associated with the plurality of marker numbers, as required by amended independent claim 1. In addition, Hamada does not disclose at least (i') in the case where *the marker input unit* accepts the marker input while data recorded on a disk is being reproduced, a storing step of storing, in association with the selected marker number, information of the position of reproduction on said disk at the time point of the marker input; and (ii') in the case where *the marker input unit* accepts the marker input while the data recorded on the disk is *not* being reproduced, a display step of causing said display device to display the plurality of marker numbers and disk position information associated with the plurality of marker numbers, as required by amended independent claim 4.

In view of the above, Hamada fails to show or suggest all limitations of independent claims 1 and 4. Thus, claims 1 and 4 are patentable over Hamada. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 2-3 and 5-6 stand rejected under 35 U.S.C. 103(a) as being obvious over Hamada in view of U.S. Patent Application Publication No. 2002/0135608 ("Chiu"). For the following reasons, this rejection is respectfully traversed.

As discussed above, Hamada fails to show or suggest at least the limitations (i) and (ii), as required by amended independent claim 1, and at least the limitations (i') and (ii'), as required by amended independent claim 4. Further, Chiu does not teach that which Hamada lacks. Specifically, Chiu is only relied upon for teaching that the marker display unit displays the marker at an area on a display region of the display device. However, like Hamada, Chiu is silent with respect to the limitations (i), (ii), (i'), and (ii').


In view of the above, Hamada and Chiu, whether considered separately or in combination, fail to show or suggest all limitations of claims 1 and 4. Thus, claims 2-3 and 5-6, which depend from claims 1 and 4, are patentable over Hamada and Chiu. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591, Reference No. 04536/032001.

Dated: January 29, 2008

Respectfully submitted,

By:  #45,079
Jonathan P. Osha THOMAS SCHERER
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant